

May 31, 2017

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

STEVEN TURNER,

Plaintiff,

v.

GERALD YOUNG and HOPEWELL
RISK STRATEGIES, LLC,

Defendants,

v.

CPST, INC. and HEALTH COST
CONTROL, INC.,

Third-Party Defendants.

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CIVIL ACTION NO. H-15-3152

FINAL JUDGMENT

This case having been tried to the Court on April 17-18, 2017, and the Court having issued its Findings of Fact and Conclusions of Law on May 18, 2017 (Document No. 41), and the Court having this day separately ordered that Plaintiff is entitled to recover from Defendant Hopewell reasonable attorney's fees and expenses in the amount of \$48,753.25, plus an award of conditional attorney's fees in the event Defendant(s) unsuccessfully appeal from the Final Judgment, it is now, therefore

ORDERED and ADJUDGED that Plaintiff Steven Turner shall have and recover of and from Defendant Hopewell Risk Strategies, LLC, actual damages in the amount of \$407,856.28, plus reasonable attorney's fees and expenses in the amount of \$48,753.25, for a

total recovery of **FOUR HUNDRED FIFTY-SIX THOUSAND SIX HUNDRED NINE and 53/100 DOLLARS (\$456,609.53)**, together with interest at the rate of 1.15% per annum, compounded annually, on all unpaid amounts thereof from the date of this Final Judgment, until paid; and it is further

ORDERED and ADJUDGED that if Defendant(s) shall unsuccessfully appeal from this Final Judgment Plaintiff shall further have and recover additional attorney's fees of and from Defendant Hopewell Risk Strategies, LLC, conditioned as follows:

a. Ten Thousand Dollars (\$10,000.00) in the event Defendant Hopewell files a motion to vacate, Rule 60 motion, motion for new trial, motion for reconsideration, or other post-judgment, pre-appeal motion that does not result in a reversal of the judgment obtained in this action;

b. Forty Thousand Dollars (\$40,000.00) in the event Defendant Hopewell files an appeal to the Fifth Circuit Court of Appeals that does not result in a reversal of the judgment obtained in this action;

c. Ten Thousand Dollars (\$10,000.00) for making and/or responding to a petition for certiorari to the U.S. Supreme Court that does not result in a reversal of the judgment obtained in this action;

d. Fifteen Thousand Dollars (\$15,000.00) for an appeal to the United States Supreme Court in the event a petition for certiorari review is granted and does not result in a reversal of the judgment obtained in this action; and

e. Five Thousand Dollars (\$5,000.00) for collection of the judgment rendered in this case, should Plaintiff obtain a writ of execution, writ of garnishment, writ of attachment, or other process.

It is further


ORDERED and ADJUDGED that Defendants Gerald Young and Hopewell Risk Strategies, LLC, acting as Counter-Claimants and/or Third-Party Plaintiffs, shall take nothing on their counterclaim and third-party claims against Counterclaim Defendant Steven Turner and Third-Party Defendants CPST, Inc. and Health Cost Control, Inc., and the counterclaim and third-party claims are DISMISSED on the merits with prejudice.

All other and further relief sought by any party and not granted herein is DENIED.

This is a **FINAL JUDGMENT**.

The Clerk will enter this Order, providing a correct copy to all parties of record.

SIGNED at Houston, Texas, on this 31ST day of May, 2017.


EWING WERLEIN, JR.
UNITED STATES DISTRICT JUDGE